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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,805	03/29/2004	Genichi Imamura	15146-015001	9693
26171	7590	07/31/2007		
FISH & RICHARDSON P.C. P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER PATEL, CHANDRAHAS B	
			ART UNIT 2616	PAPER NUMBER
			MAIL DATE 07/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/810,805

Applicant(s)

IMAMURA, GENICHI

Examiner

Chandrabhas Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/9/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 10-16, 18-20, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Kazakevich et al. (USPN 6,714,769).

Regarding claim 1, Kazakevich teaches a changeover apparatus for a duplex system including a pair of devices, wherein the change-over apparatus switches between the pair of devices based on digital monitoring for monitoring a signal associated with the duplex system from a digital signal aspect [Fig. 4, Col. 3, lines 54-64].

Regarding claim 2, Kazakevich teaches changeover apparatus operates based on analog monitoring for monitoring the signal associated with the duplex system from an analog signal respect [Col. 4, lines 20-22].

Regarding claim 3, Kazakevich teaches the changeover apparatus operates based on one or both of the digital monitoring and analog monitoring [Col. 3, lines 24-31, 42-51].

Regarding claim 4, Kazakevich teaches digital monitoring and analog monitoring include monitoring related to standards associated with duplex [Col. 3, lines 56-59].

Regarding claim 5, Kazakevich teaches digital signal aspect includes an aspect of data represented by a digital signal [Col. 1, lines 55-61].

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Regarding claim 6, Kazakevich teaches analog signal aspect includes the level of a signal [Col. 3, lines 23-31].

Regarding claim 10, Kazakevich teaches the signal associated with duplex system is an output signal from each of the devices [Fig. 1, 16, 18].

Regarding claim 11, Kazakevich teaches a duplex system comprising the changeover apparatus according to claim 1 [Col. 3, lines 22-31].

Regarding claim 12, Kazakevich teaches a signal changeover circuit for switching between two signals, wherein the signal changeover circuit performs a signal changeover function based on digital monitoring for monitoring the signals from a digital signal aspect [Fig. 4, Col. 3, lines 54-64].

Regarding claim 13, Kazakevich teaches changeover circuit operates based on analog monitoring for monitoring the signal associated with the duplex system from an analog signal respect [Col. 4, lines 20-22].

Regarding claim 14, Kazakevich teaches the changeover circuit operates based on one or both of the digital monitoring and analog monitoring [Col. 3, lines 24-31, 42-51].

Regarding claim 15, Kazakevich teaches digital monitoring and analog monitoring include monitoring related to standards associated with signals [Col. 3, lines 56-59].

Regarding claim 16, Kazakevich teaches signal changeover circuit is associated with a duplex system including a pair of devices [Col. 3, lines 22-31].

Regarding claim 18, Kazakevich teaches two signals are output signals from respective devices of duplex system [Fig. 1, 16, 18].

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Regarding claim 19, Kazakevich teaches a switch switching between two signals [Fig. 2, 34]; and a switching controller controlling the switching of switch, the switching controller including a monitor monitoring one or both of the two signals, the monitor performing digital monitoring [Col. 2, lines 44-58].

Regarding claim 20, Kazakevich teaches switch includes a first and a second input terminal for receiving two signals, and an output terminal for outputting one of the two signals [Fig. 2, two terminals are shown from the output of A and B and one output terminal is through 34].

Regarding claim 22, Kazakevich teaches a signal changeover circuit [Fig. 2] comprising: means for switching between two signals [Fig. 2, 34]; and means for controlling the switching [Col. 2, lines 44-58], means for controlling including means for monitoring one or both of two signals from a digital signal aspect [Col. 3, lines 54-64].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7, 8, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazakevich et al. (USPN 6,714,769) in view of Moura et al. (USPN 6,016,316).

Regarding claims 7, 17, Kazakevich teaches an apparatus and a circuit as discussed in rejection of claim 1 and 16.

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However, Kazakevich does not teach duplex system is associated with a broadcasting system.

Moura teaches that duplex system is associated with a broadcasting system [**Abstract**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to associate the duplex system with a broadcasting system to achieve flexibility of duplex system in a broadcast system [**Col. 1, lines 19-22**].

Regarding claim 8, Kazakevich further teaches each of the devices is a reference signal generator for broadcasting system [**Fig. 5, 46, Col. 4, lines 7-13**].

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kazakevich et al. (USPN 6,714,769) in view of Moura et al. (USPN 6,016,316) as applied to claim 7 above, and further in view of Kasparian et al. (USPN 5,007,050).

Regarding claim 9, the references teach an apparatus as discussed in rejection of claim 7.

However, the references do not teach the signal associated with the duplex system is a serial digital interface (SDI) signal.

Kasparian teaches the signal associated with the duplex system is a serial digital interface (SDI) signal [**Abstract**].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a serial digital interface so that communication of signals between microprocessors can be done [**Abstract**].

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6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kazakevich et al. (USPN 6,714,769) in view of Kerns (USPN 5,420,856).

Regarding claim 21, Kazakevich teaches a circuit as discussed in rejection of claim 19.

However, Kazakevich does not teach monitor includes a first and a second monitor, wherein: each of the first and second monitors includes a digital monitoring circuit performing digital monitoring, and an analog monitoring circuit performing analog monitoring.

Kerns teaches monitor includes a first and a second monitor, wherein: each of the first and second monitors includes a digital monitoring circuit performing digital monitoring, and an analog monitoring circuit performing analog monitoring [Fig. 2, 23, 22, 30 and 3A work together to perform digital and analog signal monitoring, Col. 25, lines 34-62].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have digital and analog monitoring so that single switch can monitor both analog and digital parameters [Col. 25, lines 36-42].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrahas Patel whose telephone number is 571-270-1211. The examiner can normally be reached on Monday through Thursday 7:30 to 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CBP



RICKY Q. NGO
SUPERVISORY PATENT EXAMINER